

APPENDIX A – SOURCES OF INFORMATION

- A-1 Directory of Additional Sources of Information
- A-2 Americans with Disabilities Act Resources in Maine

Directory of Additional Sources of Information

A code enforcement officer who has a question about the applicability of a State or federal statute or a local ordinance, to a project, should check the directory information provided below to determine which agency or organization might be able to assist in a particular situation.

State Agencies. The following is a listing of State agencies, their addresses and telephone numbers, the laws which they administer and enforce and the type of information they can provide to a CEO to assist with application review, development of a comprehensive plan, and drafting of an ordinance or other land use related questions. All of these State Agencies are also listed on the State of Maine Home Page on the World Wide Web. Address: www.maine.gov. State Statutes are listed on the state website @ www.state.me.us/legis/statutes.htm.

Department of Environmental Protection

Augusta Office: #17 State House Station
Hospital Street
AMHI Complex – Ray Building
Augusta, ME 04333

Division of Planning and Environmental Education
Tel: 287-2811 or 287-7688 or 1-800-452-1942

Bureau of Land and Water Quality

Tel: 287-2111

Division of Land Resource Regulation

This division oversees land use activities which fit the definition of “development” under the Site Location of Development Act (38 M.R.S.A. §481-489). Regulated activities include “subdivisions” as defined in § 482 (5); this definition differs from the one governing subdivision review by the municipal planning board in 30-A M.R.S.A. § 4401.

This division also oversees activities regulated under the Natural Resources Protection Act (“NRPA”) (38 M.R.S.A. § 480-A to § 480-S). The NRPA consolidated the former Great Ponds Act, Stream Alteration Act, Coastal Wetlands Act, and Fresh Water Wetlands Act and also regulates fragile mountain areas and significant wildlife habitat.

Shoreland Zoning Unit (38 M.R.S.A. § 435-449)

Provides technical assistance to municipal officials regarding the administration and enforcement of shoreland zoning ordinances

Division of Water Resources Regulation

(See also separate regulation adopted by the Board of Environmental Protection)

Administers the Protection Water Act (38 M.R.S.A. §§ 361-A-454), which requires licenses for any direct discharge into the waters of the State. Prohibits the deposit of certain types of refuse materials in places where they may be washed directly or indirectly into the waters (or onto ice) of the State. Establishes standards for classification of waters and lists classifications given to certain water bodies by the Legislature. Regulates “overboard discharge” licenses.

Bureau of Air Quality Control

Tel: 287-2437 (see also separate regulations adopted by the Board of Environmental Protection)

Protection and Improvement of Air Act (38 M.R.S.A. § 581-605)
Sets deadline for phasing-out of open burning dumps and provides variances in certain situations. Regulates emission of odor and particles into the air through licensing provisions.

Bureau of Hazardous Material and Solid Waste Control

Tel: 287-2651 (To report oil and hazardous materials spills, dial TOLL FREE: (1-800-482-0777) (see also separate regulations adopted by the Board of Environmental Protection)

Oil Discharge Prevention and Pollution Control Act (38 M.R.S.A. §§ 541-557)

Prohibits the discharge of petroleum products or their byproducts into the waters of the State, onto lands adjacent to the seacoast, or into sewers and surface water drains. Licenses facilities which transfer, process, or store oil.

Underground Oil Storage Facilities and Ground Water Protection (38 M.R.S.A. §§ 561-570-F)

Regulates the installation, replacement, and removal of underground storage tanks and establishes a certification requirement for tank installers.

Waste management Act (38 M.R.S.A. §§ 1301-1371)

Authorizes the DEP to regulate solid waste, sludge, hazardous waste, hazardous matter, and hazardous substances disposal, storage, handling and transportation.

Regional Offices:

Portland -	312 Canco Road Portland, ME 04013 (all bureaus) Tel: 822-6300
Bangor -	106 Hogan Road Bangor, ME 04401 Tel: 941-4570

Presque Isle – 528 Central Drive
Skyway Park, Presque Isle 04769
Tel: 764-0477

Maine State Planning Office

Tel: 287-3261

38 State House Station, Augusta, ME 04333

(physical location: 184 State Street, Augusta)

This office can provide information to local officials about various land use ordinances and comprehensive plans. It has a variety of land use publications and sample ordinances available for public distribution. It also can assist with questions regarding floodplain management, capital improvements planning, ground water protection, and critical natural areas. The office review and certifies local growth management programs pursuant to 30-A M.R.S.A. § 4301 et seq.

Code Enforcement Training and Certification Program

This program provides training for code enforcement officers in the areas of Shoreland Zoning, Land Use, Building Standards, Subsurface Waste Water Disposal and Internal Plumbing. The program also administers examinations necessary to become certified as a code enforcement officer or local plumbing inspector in the State of Maine.

Floodplain Management Program

This program provides technical information, floodplain maps and model ordinances to communities interested in joining the National Flood Insurance Program (NFIP), as well as to participating communities. Program Staff also provide information about flooding or the NFIP. The Program offers workshops on how to read and use flood maps and on ordinance interpretation. Staff also reviews local ordinances for compliance with the NFIP standards. Assistance is also provided to those communities in the NFIP that seek to lower their flood insurance premiums through the Community Rating System.

Department of Marine Resources

Tel: 624-6570

21 State House Station, Augusta, ME 04333

(physical location: Barker Building, Hallowell Annex)

Marine Resources law (12 M.R.S.A. §§ 6171-6174, 6191-6193, 6671-6676)

These sections authorize the Commissioner of the Department to adopt regulations to promote the conservation and propagation of marine organisms. The Department distributes model shellfish management ordinances to municipalities and reviews local programs.

Department of Health and Human Services – Division of Health Engineering

Tel: 287-5672

11 State House Station, Augusta, ME 04333

(physical location: Key Bank Building, Water Street, Augusta)

State “Plumbing Code” (A departmental regulation adopted pursuant to 22 M.R.S.A. § 42)

The provisions of the subsurface wastewater disposal code are applied and enforced by local plumbing inspectors (LPI's) certified by the State Planning Office and appointed by the municipal officers. The Department assists LPI's in interpreting the Code. The Department also must approve certain waivers. It also assists planning boards in analyzing proposed onsite sewer disposal systems as part of subdivision review.

Minimum Lot Size Law (12 M.R.S.A. §§4807-4807-G)

Establishes a minimum lot size and minimum shore frontage for single family, multi-family, and other land use activities generating waste which will be disposed of by means of a subsurface system.

Department of Transportation

Tel: 624-3000

16 State House Station, Augusta, ME 04333

(physical location: Child Street, Augusta, ME)

Automobile Graveyards and Junkyard Statute (30 M.R.S.A. §§ 3751-3760)

Requires a license from the municipal officers for activities defined as junkyards, auto graveyards, or automobile recyclers under the statute. The Department can assist in determining whether an activity is covered by the statute. It also has regulations regarding screening.

Maine Travelers Information Act (23 M.R.S.A. § 1901-1925)

Regulates size and location of signs. Authorizes local sign ordinances which are stricter than but not inconsistent with State Law.

Roadside Spraying Program

Authorizes municipalities and individual landowners to negotiate “no spray” agreements with DOT in connection with its roadside spraying program.

Department of Professional and Financial Regulation

35 State House Station, Augusta, ME 04333

(physical location: Gardiner Annex, Northern Ave., Gardiner)

Manufactured Housing Board Tel: 624-8612

Provides information regarding State and federal requirements for mobile home construction standards and other information relating to manufactured housing regulations. Regulates mobile home parks.

Plumbers Examining Board Tel: 624-8639

The provisions of the internal plumbing code are applied and enforced by local plumbing inspectors (LPI's) certified by the State Planning Office and appointed by the municipal officers. The Department assists LPI's in interpreting the Code.

Electricians Licensing Board Tel: 624-8610

Supervises State inspectors. Answers questions about State permits for electrical installations.

Department of Public Safety

Tel: 624-3880

State Fire Marshal's Office

52 State House Station, Augusta, ME 04333

(physical location: 45 Commerce Drive, Augusta, ME)

Responsible for administration and enforcement of various State fire and life safety codes. Assists local officials with questions about these codes.

Federal Agencies. The following is a list of certain federal agencies, their addresses and telephone numbers, and the environmental laws with which they can assist the CEO.

Federal Emergency Management Agency

Tel: 1-617-223-2617

Office of Federal Insurance and Hazard Mitigation

Boston, MA or Washington, D.C. (toll free: 1-800-424-8872)

Flood Hazard Insurance Program

Assists local officials with the interpretation of local flood hazard ordinances, with the amendment of those ordinances, and with interpreting and changing boundaries on local flood hazard maps.

U.S. Army Corps of Engineers

Tel toll free: 1-800-343-4789

Regulatory Branch, New England Division, 424 Trapelo Road, Waltham,

MA 02154, Maine Project Office, RR 2, Box 1855, Manchester, Me 04352

Tel: 623-8367

Clean Water Act of 1977, Section 404 (33 USC § 1344)

Requires a permit for most activities involving the discharge of dredge or fill material into certain tidal and non-tidal waters and adjacent wetlands.

United States Government, Department of Agriculture, Soil conservation Service

(Check local telephone directory under the above title for the nearest office location) Will assist local officials in determining soils suitability for particular projects. Prepares and distributes

suitability surveys for each county. May also offer assistance through an affiliated "Resource conservation and Development" organization (RC&D): Threshold to Maine (Westbrook), Time and Tide (Waldoboro), Downeast (Cherryfield), and St. John Aroostook (Presque Isle).

Other Sources of Assistance. The following organizations will assist a CEO in the interpretation and administration of local and State land use regulations and can provide sample ordinances.

Maine Municipal Association

Tel: 623-8428 or toll free 1-800-452-8786
60 Community Drive, Augusta, ME 04330

(CEO must be from a municipality which is a member of MMA.
Must be a local official to use the legal services program.)

Regional Planning Commissions

Tel: 783-9186
Androscoggin Valley Council of Governments
125 Manley Road
Auburn, ME 04210

Tel: 774-9891 or toll free 1-800-649-1304
Greater Portland Council of Governments
68 Marginal Way, 4th Floor
Portland, ME 04101

Tel: 667-7131
Hancock County Planning Commission
395 State Street
Ellsworth, ME 04605

Tel: 453-4258 or toll free 1-800-731-5019
Kennebec Valley Council of Governments
17 Main Street
Fairfield, Me 04937

Tel: 784-2617
Lincoln County Planning Office
C/o Bob Faunce
183 Main Street
Lewiston, ME 04240

Tel: 729-0144
Mid-Coast Council for Business Development and Planning
(Sagadahoc County and Brunswick)
49 Pleasant Street
Brunswick, ME 04011

Tel: 594-2299
Mid-Coast Regional Planning Commission
166 South Main Street, Suite 201
Rockland, ME 04841

Tel: 498-8736 or toll free 1-800-427-8736
Northern Maine Development Commission
302 Main Street
PO Box 779
Caribou, ME 04736

Tel: 942-6389 or toll free 1-800-339-6389
Penobscot Valley Council of Governments
(A division of Eastern Maine Development Corporation)
1 Cumberland Place Suite 300
Bangor, ME 04401

Tel: 324-2952
Southern Maine Regional Planning Commission
21 Bradeen Street Suite 400
Springvale, ME 04083

Tel: 255-8686 or toll free 1-800-339-6389
Washington County Regional Planning Commission
PO Box 631
Calais, ME 04619

Law Libraries

If the municipality does not have a current set of statutes and a CEO would like to look at statutes or court cases in order to do some legal research on his or her own, the CEO should check the nearest county courthouse to see if the county is maintaining a small law library there. Other public law libraries are located at the University of Maine School of Law in Portland and the State Law Library located at the State House in Augusta. The library staffs at the State and Law School libraries are generally very helpful. Statutes are also located on the State of Maine Home page at www.state.me.us click on Legislature.

Registry of Deeds

Information on property ownership and boundaries of individual lots and information on land included on a subdivision plan should be available at the county Registry of Deeds, if the owner or developer has recorded that information. If the CEO wants to attempt to do a search of the title to land involved in an application, he or she may find the following summary of how to conduct a title search helpful. The staff at the Registry offices also is usually very willing to answer questions.

AMERICANS WITH DISABILITIES ACT

RESOURCES IN MAINE

Alpha One
127 Main Street
South Portland, ME 04106
207-767-2189 (V/TTY)
1-800-640-7200 (V/TTY)

Alpha One
1048 Union Street Suite 2
Bangor, Maine 04401
207-941-6553 (V/TTY)
1-800-300-6016 (V/TTY)

Dept. of Public Safety
Licensing and Inspection
52 State House Station
Augusta, ME 04333-0052
207-624-8744

Disability Rights Center of Maine
24 Stone Street
PO Box 2007
Augusta, ME 04338-2007
207-626-2774
1-800-452-1948

Office of State Handicapped Accessibility
504 Coordinator
Bureau of Rehabilitation
35 Anthony Ave.
Augusta, ME 04333-0011
207-624-5308

Maine Human Rights Commission
Hallowell Annex
51 State House Station
207-624-6050 (voice)
207-624-6064 (TTY)

New England ADA
Technical Assistance Center
Adaptive Environments, Inc.
374 Congress Street, Suite 301
Boston, MA 02210
1-800- 949-4232 (Voice/TTY)